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EXAMINER

PHILIPPE, GIMS S

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 5th 2008 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (US Patent no. 5905812) in view of Metz et al. (US Patent no. 5768539).

As per claims 13-14, Kim discloses a moving picture data for displaying a moving picture based on said data on a display, wherein the moving picture data structure comprising: I pictures (intraframe coded image); P pictures (interframe forward predictive coded image); and P' picture which is a forward predictive coded image of a

picture immediately preceding an I picture and the I picture being placed preceding or following the I picture (See Kim col. 2, lines 27-44). The applicant should note that this section cited by the examiner is analogous to applicant's invention by the fact that applicant's P-picture is used to recover the I-picture from an error. In other words, the P' claimed is the coded image of either an I picture once a scene-change with error has been noticed. The applicant should also note that although the "structure" is not shown in Kim, the original image of the present frame to be coded is a GOF with I, P and B frames. The difference occurs when a coded image of a P picture is introduced to eliminate errors (See Applicant's own Summary of the Invention lines 13-15).

It is noted that Kim is silent about the network interface as specified in the claims. However, Metz et al provides a network interface module through which the moving picture data is transmitted (See Metz fig. 1, item 101 and col. 10, lines 43-46).

Therefore, it is considered obvious that one skilled in the art at the time of the invention would recognize the advantage of modifying Kim's moving picture transmission/reception apparatus by providing Metz' network interface module. The motivation for providing such a modification in Kim is to allow narrow band two-way communication and selectively receive broadcast channels as taught by Metz (See Metz col. 11, lines 24-32).

As per claims 15-16, Kim discloses a record medium recording moving picture data for displaying a moving picture based on said data on a display, wherein the moving picture data a structure comprising: I pictures (interframe coded image); P pictures (interframe

forward predictive coded image); and P" picture which is a forward predictive coded image of an I picture immediately preceding the current I picture and the current I picture being placed preceding or following the current I picture. The rationale utilized for the previous claim i.e., (See Kim col. 2, lines 27-44) is also used to explain the rejection of claim 2. The applicant should note that this section cited by the examiner is analogous to applicant's invention by the fact that applicant's P-picture is used to recover the I-picture from an error. In other words, the P' claimed is the coded image of either an I picture once a scene-change with error has been noticed. The applicant should also note that although the "structure" is not shown in Kim, the original image of the present frame to be coded is a GOF with I, P and B frames. The difference occurs when a coded image of a P picture is introduced to eliminate errors (See Applicant's own Summary of the Invention lines 13-15).

It is noted that Kim is silent about the network interface as specified in the claims. However, Metz et al provides a network interface module through which the moving picture data is transmitted (See Metz fig. 1, item 101 and col. 10, lines 43-46).

Therefore, it is considered obvious that one skilled in the art at the time of the invention would recognize the advantage of modifying Kim's moving picture transmission/reception apparatus by providing Metz' network interface module. The motivation for providing such a modification in Kim is to allow narrow band two-way communication and selectively receive broadcast channels as taught by Metz (See Metz col. 11, lines 24-32).

4. Claims 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kojima et al. (US Patent no. 6057893) in view of Metz et al. (US Patent no. 5768539).

As per claims 13-14, Kojima discloses a record medium recording moving picture data for displaying a moving picture based on said data on a display, wherein the moving picture data structure comprising: I pictures (intraframe coded image); P pictures (interframe forward predictive coded image); and P' picture which is a forward predictive coded image of a picture immediately preceding an I picture and the I picture being placed preceding or following the I picture (See Kojima fig. 3, col. 4, lines 32-55 and col. 10, lines 42-55).

It is noted that Kojima is silent about the network interface as specified in the claims.

However, Metz et al provides a network interface module through which the moving picture data is transmitted (See Metz fig. 1, item 101 and col. 10, lines 43-46).

Therefore, it is considered obvious that one skilled in the art at the time of the invention would recognize the advantage of modifying Kojima's moving picture transmission/reception apparatus by providing Metz' network interface module. The motivation for providing such a modification in Kojima is to allow narrow band two-way communication and selectively receive broadcast channels as taught by Metz (See Metz col. 11, lines 24-32).

As per claims 15-16, Kojima discloses a record medium recording moving picture data

for displaying a moving picture based on said data on a display, wherein the moving picture data a structure comprising: I pictures (interframe coded image); P pictures (interframe forward predictive coded image); and P" picture which is a forward predictive coded image of an I picture immediately preceding the current I picture and the current I picture being placed preceding or following the current I picture (See Kojima fig. 3, col. 4, lines 32-55 and col. 10, lines 42-55).

It is noted that Kojima is silent about the network interface as specified in the claims. However, Metz et al provides a network interface module through which the moving picture data is transmitted (See Metz fig. 1, item 101 and col. 10, lines 43-46).

Therefore, it is considered obvious that one skilled in the art at the time of the invention would recognize the advantage of modifying Kojima's moving picture transmission/reception apparatus by providing Metz' network interface module. The motivation for providing such a modification in Kojima is to allow narrow band two-way communication and selectively receive broadcast channels as taught by Metz (See Metz col. 11, lines 24-32).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S. Philippe whose telephone number is (571) 272-7336. The examiner can normally be reached on M-F (10:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dastouri Mehrdad can be reached on (571) 272-7418. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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